

Remarks

Applicants have carefully reviewed the application in light of the March 22, 2005 Office Action. To further prosecution, Applicants have amended claims 1-3, 5, 7-8, 22, 24, 32-33, 41-43, 51-53, and 60 to explicitly claim certain inventive concepts and to clarify certain claimed concepts and canceled claim 4. Applicants intend, however, no disclaimer of the subject matter originally claimed in those claims. Applicants submit that the currently pending claims are in condition for allowance and respectfully request same.

Allowable Claims

The Examiner indicates that claims 32-40 and 60 are allowable. Detailed Action ¶ 5. Applicants thank the Examiner for this finding.

Applicants have, however, amended these claims to clarify the concepts claimed thereby. Applicants submit that the changes do not materially affect the claims' scope in regard to patentability. See Detailed Action ¶ 6.

Claim Objections

The Examiner objects to claims 3, 6, 24, 26, 30, 43, 44, 46, 53, 54, and 56 for being dependent on a rejected base claim. Detailed Action ¶ 7. However, the Examiner indicates that the claims would be allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claims. Id. Applicants thank the Examiner for this finding.

Applicants have amended claims 1, 22, 41, and 51 to include analogous limitations to some of the limitations in claims 3, 24, 43, and 53, respectively. Applicants submit that the limitations added to claims 1, 22, 41, and 51 place them in condition for allowance.

Claim Rejections

The Examiner rejects claims 1, 2, 4-5, 7-23, 25, 27-29, 31, 41-42, 45, 47-52, 55, and 57-59 under 35 U.S.C. § 103(a). Applicants, however, have amended the independent claims of this group – claims 1, 22, 41, and 51 – to include subject matter that the Examiner indicates is

allowable. See Detailed Action ¶ 6. Applicants, therefore, respectfully submit that the Examiner's rejection of these claims is moot.

Unconsidered Information Disclosure Statements

Applicants submitted Information Disclosure Statements, including PTO-1449s, on November 26, 2003, May 24, 2004, September 17, 2004, and January 14, 2005. However, it appears that the Examiner may have overlooked the Information Disclosure Statements as Applicants have not received a copy of the PTO-1449s indicating that the Examiner considered the cited references. Applicants respectfully request the Examiner to return a copy of the PTO-1449s indicating consideration of the cited references with the next correspondence in the case.

Applicant : John W. Henson, et al.
Serial No. : 10/723,330
Filed : November 26, 2003
Page : 17 of 17

Attorney Docket No.: 15826-106001/II-02-002

Conclusion

Applicants submit that a good faith effort has been made to advance prosecution of this application and that the application is now in condition for allowance. If, however, the Examiner feels that prosecution can be advanced by a telephone conference, Applicants request that the Examiner contact their below-listed attorney.

Enclosed is a check in the amount of \$450.00 for the Petition for Extension of Time fee. Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: August 22, 2005

William R. Borchers
William R. Borchers
Reg. No. 44,549

Fish & Richardson P.C.
1717 Main Street
Suite 5000
Dallas, Texas 75201
Telephone: (214) 292-4075
Facsimile: (214) 747-2091